

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)
v.) Crim. No.13-10200-GAO
DZHOKHAR A. TSARNAEV,)
Defendant) UNDER SEAL

**SUPPLEMENTAL PROPOSAL REGARDING
JURY SELECTION AND JURY QUESTIONNAIRE**

The United States of America, by and through its undersigned attorneys, respectfully submits the following supplemental proposal for selecting a jury and amending the juror questionnaire. (The parties conferred on these issues but were unable to agree on a joint proposal.)

1. Public access to voir dire

To safeguard the public's First Amendment rights to a public trial, see Richmond Newspapers, Inc. v. Virginia, 448 U.S. 555 (1980), access to the courtroom during individual voir dire will include at least 10 members of the public chosen at random from those who express a desire to attend, and one member of the press who, as a condition of attending, must agree to share his or her observations and notes with other interested members of the press (i.e. a "pool reporter"). In addition, the government and defendant each may designate three individuals to be present during individual voir dire.

2. Questions 18, 19, 20.

To sharpen and condense Questions 18, 19, 20, the phrase “tried to influence” in Question 18 should be changed to “tried hard to influence,” and questions 19 and 20 should be deleted.

3. Mistrust of government

As an alternative to the question proposed by the government in its December 2, 2014, motion, the following question should be added to the questionnaire: “Do you believe that the government often feeds false information to the public in order to cover up the true facts?”

Rather than ask for an explanation in the questionnaire, the Court can follow-up on “yes” answers during individual voir dire.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that this document was served by electronic mail on Dzhokhar Tsarnaev’s attorney, Judy Clarke, Esq., on January 31, 2014.

/s/ William D. Weinreb
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